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Counsel for Defendant URSUA-CISNEROS

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	
	)	No. CR 04-0207 WA
Plaintiff,	)	CR 07-0695 MJJ
	)	
v.	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER CONTINUING DATE AND
	)	EXCLUSION OF TIME
FRANCISCO JAVIER URSUA-CISNEROS,	)	
	)	
Defendant.	)	

IT IS HEREBY STIPULATED, by and between the parties to this action, that the next court date in this case, currently scheduled for Tuesday, March 25, 2008, at 2:00 p.m., before Honorable William Alsup, may be continued to Tuesday, April 8, 2008, at 2:00 p.m. for change of plea and revocation hearing and disposition. The background is that Mr. Ursua-Cisneros has been charged in a new indictment with a violation of 8 U.S.C. §1326 in CR 07-0695 MJJ and also has a pending supervised release violation matter in CR 04-0207 WA. The parties are working on a global disposition to address both matters. Defense counsel is unavailable on Tuesday, March 25, 2008.

1 Should the Court continue the matter to April 8, 2008, it will provide adequate time for the parties to  
2 finalize the plea agreement in order to resolve both cases on that date. The parties stipulate that the  
3 time from March 25, 2008, to April 8, 2008, should be excluded in accordance with the provisions of  
4 the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for adequate preparation of counsel.  
5

6 /S/  
7 DATED: March 24, 2008 \_\_\_\_\_  
8 JOYCE LEAVITT  
9 Assistant Federal Public Defender

10 /S/  
11 DATED: March 24, 2008 \_\_\_\_\_  
12 JAMES C. MANN  
13 Assistant United States Attorney

14 SIGNATURE ATTESTATION

15 I hereby attest that I have on file all holograph signatures for any signatures indicated by  
16 a “conformed” signature (/S/) within this e-filed document.  
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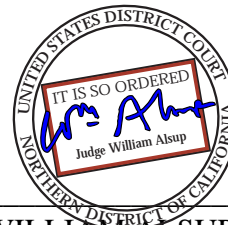
**ORDER**

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the court date in this case, currently scheduled for March 25, 2008, may be continued to Tuesday, April 8, 2008, at 2:00 p.m. for change of plea and revocation hearing and disposition.

IT IS FURTHER ORDERED that the time from March 25, 2008 to April 8, 2008, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for adequate preparation of counsel so that the parties can finalize the agreement to resolve both cases. The Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial and the failure to grant the requested continuance would unreasonably deny counsel the reasonable time necessary for effective preparation, taking into account due diligence.

SO ORDERED.

DATED: March 24, 2008.



HONORABLE WILLIAM ALSUP  
United States District Judge